IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Arbitration Petition No.16 of 2006

Mr.Hemant Purushottam Parmar — Applicant
Vs.
Lalit Ramchandra Setpal — Respondent

Ms.Mandira Moitra for applicant.
Mr.P.M.Rustamkhan for respondent.

CORAM: B.H.MARLAPALLE,J.

June 16, 2006.

P.C.

. Heard Ms.Moitkar, the learned counsel for the petitioner. As per clause 26 of the agreement entered between the parties in case of any dispute, the consulting architect will act as an arbitrator and the decision given by him shall be treated as final and binding on both the parties. The consulting architect by his letter dated 22/8/2005 has informed the learned Advocate that he being a busy professional, would not be interested in acting as an arbitrator in the matter. Hence this petition under Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of a retired District Judge as an arbitrator.

. Mr.P.S.Mane, Retired District Judge is hereby appointed as the arbitrator to settle the dispute

between the parties to this application. The parties will appear before him within a period of four weeks from today and finalise further terms of arbitral proceedings including the time schedule and fees etc.

. The petition is disposed in terms of the above order and a copy of this order be forwarded to Mr.Mane at his address at Pune.

(B.H.MARLAPALLE,J.)